

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

JING WANG JIANG,

Petitioner,

v.

JEFF SESSIONS, et al.,

Respondents.

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Case No.: 4:17-cv-00762-VEH-SGC

MEMORANDUM OPINION

This case is before the court on Respondents' Motion to Dismiss as Moot, filed June 8, 2017. (Doc. 6). In the motion, Respondents note Petitioner was released from ICE custody on June 8, 2017, pursuant to an Order of Supervision.. (Doc. 6 at 1). Because Petitioner has been released, Respondents contend this case is due to be dismissed as moot.

On May 10, 2017, Petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to China. (Doc. 1). Because Petitioner has been released on an Order of Supervision, his petition seeking that very relief is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir.2003) ("a case must be dismissed as moot if the court can no longer provide 'meaningful relief'"); *see also Spencer v. Kemna*, 523 U.S. 1, 7-8 (1998) (once a habeas petitioner is released from custody, he must demonstrate collateral consequences to avoid mootness doctrine). Accordingly, this matter is due to be dismissed. *Khader v. Holder*, 843 F. Supp. 2d 1202, 1202 (N.D. Ala. 2011).

A separate order will be entered.

DONE and **ORDERED** this 12th day of June, 2017.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

VIRGINIA EMERSON HOPKINS

United States District Judge